

*Application of: Lemberger et al.*

*Serial No.: 10/821,439*

**IN THE DRAWINGS**

The FIGs. are amended herein to implement the following changes. Replacement Sheets for FIGs. 1, 8 & 9 are attached. In Figs. 8 & 9 the reference 12 is added to designate the chamfered section. The upper section 10b and a lower section 10a are properly designated by brackets. In FIG. 1 the reference 61 is added to designate the closed chamber.

*Application of: Lemberger et al.**Serial No.: 10/821,439***REMARKS**

This Amendment is being submitted in response to the Official Action dated 11 February 2005. Claim 1, 9, 12 and 14 are amended, and claims 6-8 and 19 are canceled. Claims 1-5 and 9-18 remain pending.

The Examiner objected to the drawings under 37 CFR 1.84(p)(5) for omitting reference signs. Replacement Sheets for FIGs. 1, 8 & 9 are attached which include the reference 12 to designate the chamfered section, and to properly designate the upper section 10b and a lower section 10a. In FIG. 1 the reference 61 is added to designate the closed chamber. The Examiner had noted that 50a and 50b should be reversed in FIG. 6 but it appears to applicant that these reference numbers are correct as they appear. Also, the Examiner objected to the drawings for failing to show the plurality of entrance holes in the ferrule, which feature appears in the claims. However, FIGs. 4 & 5 denotes the lateral entrance apertures 39 and these are described as "one or more lateral apertures 39 on ferrule 32". Replacement FIGs. 2 & 3 are added to show the lateral apertures 39 more clearly. It is believed that this provides sufficient support for the claims.

The Examiner objected to claim 12 because it depended from itself. The dependency is herein corrected to claim 11.

The Examiner objected to claim 14 for an improper capitalization which is herein corrected.

The Examiner objected to claim 19 for an extraneous number which is herein removed.

The Examiner rejected claims 1-7, 13-18 under 35 USC 102(b) as being anticipated by

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Nakagawa (US 3,451,418). Nakagawa '418 shows a tire pressure indicator that works by a completely different principle and reflects different structure for accomplishing it. The Nakagawa '418 device (FIG. 2) must be pre-charged with air by removing cap 58 and attaching a hose. This equalizes the pressure in the tire to reach equilibrium. The present device does not require a pre-charge of air. Rather, air from the tire goes up the channel 33 and into the seal space above an O-ring 38 seated around the hemispherical indicator head. This pressure is equalized against a calibrated compression spring 60. No air pre-charge is required. The present configuration results in much greater simplicity of operation. The present configuration is made possible by the indicator head closely conforming to the outer tube (this is the reason for conforming hemispheres), the O-ring 38 mounted around the indicator head 37 for creating a sealed upper space, the channel 33 which conveys pressure up into the sealed space, and the calibrated compression spring 60 that equalizes the tire pressure introduced through the channel 33. Claim 1 is herein amended to include the limitations of claims 6-8 (which are canceled) and to reflect this fundamentally different structure more clearly. Amended claim 1 now recites "a hollow outer tube having a closed *hemispherical* transparent upper end...an indicator comprised of a *hemispherical* head conforming to the closed transparent upper end of said outer tube and visible there through, and a body protruding therefrom, *said hemispherical head being defined by a lateral annular groove and a first O-ring seated in said groove to create a seal against said hollow outer tube, said indicator further having a central air passage through the head and body, said indicator being slidable within said outer tube from an up to a down position..*" In

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addition, the compression spring is now stated to have a "calibrated bias" and is "biased against the hemispherical head". It is believed that these amended limitations aptly distinguish Nakagawa '418, and claim 1 is patentably distinguished. Claims 2-5 depend from claim 1 and are likewise distinguished. Claim 14 is likewise amended to reflect the same limitations and should also be patentably distinguished. Claims 15-18 depend from claim 14 and are likewise distinguished.

The Examiner also rejected claims 8-11 and 19 under 35 USC 103 as being obvious over Nakagawa (US 3,451,418) in light of Malec (US 4,465,013). According to the Examiner, Malec '013 adds the groove and O-ring not shown by Nakagawa. However, Malec does not disclose a tire under-pressure indicator that remains on the vehicle (as is the present device), but only a sight gauge adapted to indicate when the tire has been completely filled during a filling operation. Again, the internal structure is completely different. Neither Malec nor Nakagawa detect under-pressure when air from the tire (going up the channel 33 into the seal space above an O-ring 38 seated around the hemispherical indicator head) fails to equalize against a calibrated compression spring 60. Again, the present configuration results in much greater simplicity of operation for its intended purpose (indicating under-pressure). The present configuration is only made possible by the indicator head closely conforming to the outer tube (this is the reason for conforming hemispheres), the O-ring 38 mounted around the indicator head 37 for creating a sealed upper space, and the channel 33 which conveys pressure up into the sealed space, and the calibrated compression spring to equalize the pressure introduced into the seal space through

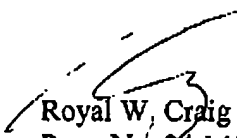
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channel 33. The combination of Malec and Nakagawa fails to teach or suggest this structure, and indeed the Examiner is remiss in making the combination because Malec and Nakagawa have divergent purposes (sensing over versus under-pressure) and cannot readily be combined. Claims 8 and 19 are herein canceled. Claim 9 now depends from claim 5, incorporates by reference the same limitations as claim 1 and 5, and as fully described above it is believed that these amended limitations aptly distinguish the combination of Malec and Nakagawa, and claim 9 is patentably distinguished.

In light of the amendments and remarks presented above, it is respectfully submitted that the application is in condition for allowance. A Notice to this effect is respectfully requested, and the Examiner is invited to call the undersigned at 410.385.2383 to discuss any remaining issues.

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Respectfully submitted,

  
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